

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

IN RE:)
)
STEVEN JOSEPH MCGUIRE) CASE NO. 19-80271-JJG-7A
KIMBERLY MICHELLE MCGUIRE)
)
DEBTORS.)

SECOND AMENDED MOTION FOR SALE BY AUCTION
AND NOTICE OF OBJECTION DEADLINE

Comes now Lou Ann Marocco, Trustee for the bankruptcy estate of Steven Joseph McGuire and Kimberly Michelle McGuire (collectively, “Debtors”), for her *Second Amended Motion for Sale by Auction and Notice of Objection Deadline* (the “Motion”) pursuant S.D.Ind. B-6004-4 shows the Court as follows:

1. That the Trustee is the duly appointed qualified and acting Trustee in the above-entitled cause.
2. That there is an asset in the above-captioned case which the Trustee desires to sell by auction (the “Auction”), which asset is a .0012365200 interest in mineral rights and lease with PO&G Operating, LLC, property number: 327061, property name: Schroeder & Beard D1-36 HD, all in Knox County, Indiana (the “Asset”).
3. The name of the entity conducting the Auction is BKASSETS.COM, with respect to whom the Trustee has filed an Application to Employ Auctioneer [Doc. No. 33] (the “Application to Employ”), and whose mailing address is: BKAssets.com, 216 N. Center Street, Mesa, AZ, and whose phone number is 480-969-1760.
4. The Auction is scheduled to begin on October 5 2020 at 9:00 a.m. Mountain Standard Time and end on December 7, 2020 at 5:00 p.m., Mountain Standard Time, so long as

there are no objections to this Motion or to the Application to Employ.

5. Bidding procedures for the Auction are available on the website of www.bkassets.com, at <https://www.bkassets.com/buyers/bidding-guide/>.

6. That said Auctioneer should be compensated as follows; commission will be 10% of sale proceeds from Auction plus reasonable expenses not to exceed \$375.00 (does not include reimbursement from buyer), all as set forth in the Application to Employ.

7. That Debtors have claimed no exemption in the Asset.

8. The minimum bid for the Asset shall be set at One Thousand Three Hundred Dollars (\$1,300.00).

9. NOTICE IS HEREBY GIVEN that any objection to this Motion must be filed with the Bankruptcy Clerk within 21 days from the date of service [or such other time period as may be permitted by pursuant to Fed.R. Bankr.P. 9006(f)]. Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

United States Bankruptcy Court
Bankruptcy Clerk
352 Federal Building
101 Northwest Martin Luther King Jr. Blvd.
Evansville, IN 47708

The objecting party must ensure delivery of the objection to the party filing the motion. If an objection is NOT timely filed, the requested relief may be granted.

WHEREFORE, Trustee prays the Court enter an order authorizing the auction sale of Debtors' .0012365200 interest in mineral rights and lease with PO&G Operating, LLC, property number: 327061, property name: Schroeder & Beard D1-36 HD, all in Knox County, Indiana, and for all other relief deemed proper in the circumstances.

Respectfully submitted,
MULVEY LAW LLC
Attorney for Trustee

By: /s/ Joseph L. Mulvey
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CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2020, a copy of the foregoing *Second Amended Motion for Sale by Auction and Notice of Objection Deadline* was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

I further certify that on September 10, 2020, a copy of the foregoing *Second Amended Motion for Sale by Auction and Notice of Objection Deadline* was mailed by first-class U.S. Mail, postage prepaid and properly addressed, to the following, pursuant to Fed. R. Bankr. P. 2002(a) and S.D. L.R. B-2002-1(c).

Stephen Joseph McGuire
Kimberly Michelle McGuire
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TD Bank, USA
by American InfoSource as agent
PO Box 248866
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JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
c/o Robertson, Anschutz & Schneid, P.L.
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PO Box 3001
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Quantum3 Group LLC as agent for
Velocity Investments LLC
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/s/Joseph L. Mulvey
Joseph L. Mulvey (#30052-49)